

Exhibit A

Excerpt from Deposition Testimony of Danielle Smith

DANIELLE LEE SMITH
HOLCOMBE vs USA

August 14, 2020
151

1 correctly?

2 A. Yes.

3 Q. You said, "It was a quick and easy
4 transaction."

5 A. Yes.

6 Q. Did I read that correctly?

7 A. Yes.

8 Q. I take it that the manager at Academy did not
9 have issue with Devin showing a Colorado driver's
10 license?

11 A. No. The manager came over and he -- from what
12 I can remember, they talked about it, and the manager
13 overrode it.

14 Q. What do you mean by overrode it?

15 A. Overrode it. He had a Colorado ID. He -- he
16 overrode it, like you're not supposed to have a Colorado
17 ID but he overrode that. You're supposed to have a
18 Texas ID.

19 Q. I'm asking you how the transaction went. He --
20 the manager received the license -- I'm sorry. Did
21 Devin show a Colorado license during this transaction?

22 A. Yes.

23 Q. And the manager processed the transaction,
24 correct?

25 A. Yes.

DANIELLE LEE SMITH
HOLCOMBE vs USA

August 14, 2020
152

1 Q. Did the store clerk have any issues with Devin
2 using a Colorado driver's license to purchase the AR-556
3 with the magazine?

4 MR. HOROWITZ: I'm sorry. Who?

5 Q. (BY MR. STERN) Did the store clerk at Academy
6 have any issue with Devin using a Colorado driver's
7 license to purchase the AR-556 with the magazine?

8 A. No.

9 Q. Do you recall the store employee looking at any
10 map during the sale?

11 A. No.

12 Q. Do you recall if the store employee had to make
13 a phone call to his manager or speak -- or otherwise
14 speak to his manager at any point before providing the
15 transaction to Devin?

16 A. Yes. They had to talk to the manager in order
17 to do the -- to get them to override it, to sign off on
18 it.

19 Q. You were there when the store clerk talked to
20 the manager?

21 A. Yes. I was walking around, and I was over
22 there, and then the store clerk called his manager over.
23 The manager came over. They talked about it. The
24 manager signed off, and then the deal was done and over
25 with. Devin bought the gun.

DANIELLE LEE SMITH
HOLCOMBE vs USA

August 14, 2020
153

1 Q. And did the manager -- manager say anything
2 specifically about overriding Colorado law as a result
3 of Devin showing a Colorado driver's license?

4 A. No.

5 Q. Was it -- what was the conversation about
6 needing to override -- override what in order to allow
7 the -- the transaction?

8 A. I don't remember specifics. I just know he had
9 to come over, he signed off on it, Devin bought the gun
10 because there was a -- remember, there was an ID issue.
11 The manager came over, signed off on it, and he said,
12 "You're all good," and that was it.

13 Q. To the best of your recollection, was the form
14 that Devin filled out at Academy similar to the form
15 that he was given at Dick's Sporting Goods?

16 A. I don't know. I wasn't -- I wasn't over his
17 shoulder looking at the forms.

18 Q. Okay. You didn't -- did you watch Devin fill
19 out the paperwork?

20 A. No.

21 Q. Did he talk to you while he was filling out the
22 paperwork about the answers he provided?

23 A. No. I was busy with my son.

24 Q. Again, look at this exhibit. On paragraph 6
25 you state -- you state, "After Devin purchased the AR,

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